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November 16, 2016

VIA ECF

Honorable James Orenstein
United States Chief Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Amber Daniels, et al. v. City of New York, et al.
16-CV-0190 (PKC) (JO)

Your Honor:

I am the Senior Counsel in the Special Federal Litigation Division of the New York City Law Department, newly assigned to represent the Defendants in the above-referenced matter. Defendants write to request a brief extension of time, from today, Wednesday November 16 to Friday November 18, 2016, in which to respond to Plaintiffs' Second Motion to Compel (docket no. 42). This is Defendants' first request to extend this deadline, which was established by Your Honor's Order dated November 14, 2016. Plaintiffs' counsel, Ryan Lozar, Esq., consents to this request.

Defendants request the additional time for several reasons. First, undersigned counsel has a (minor) personal emergency which requires him to leave early today, and is therefore not able to prepare a substantive response to the numerous issues raised in Plaintiffs' motion. Second, as Your Honor is aware, undersigned counsel was only recently assigned to this case, and is still in the process of getting up to speed on the case file—a process that was somewhat delayed by the undersigned being out sick most of last week, which was also foreshortened by two official City holidays.

At the same time, the Assistant Corporation Counsel previously assigned to the case, David Cooper, Esq., continued to work on discovery matters through the end of last week, and produced additional documents that Plaintiffs only received after filing their motion. Both sides are still reviewing that recent production to clarify what issues, if any, remain in dispute. Defendants believe that at least some of the issues raised in Plaintiffs' letter motion have been resolved. Defendants' counsel spoke with Mr. Lozar by telephone today, and Mr. Lozar has promised to compile a list of memobook entries he believes are still outstanding. Meanwhile, the

undersigned attorney remains in contact with Mr. Cooper, and is following up with him to clarify some of the other issues raised in Plaintiffs' letter motion.

For the foregoing reasons, Defendants respectfully request that the Court extend their time to respond to the Plaintiffs' Second Motion to Compel from November 16th to and including Friday November 18th.

Defendants thank the Court for its time and attention to this matter.

Respectfully submitted,

Tobias E. Zimmerman
Senior Counsel
Special Federal Litigation Division

cc: Ryan Lozar, Esq. (**via ECF**)
Attorney for Plaintiffs